

# Exhibit 54

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

STEPHEN McCOLLUM, and SANDRA :  
McCOLLUM, individually, and :  
STEPHANIE KINGREY, individually :  
and as independent administrator:  
of the Estate of LARRY GENE :  
McCOLLUM, :  
: :  
PLAINTIFFS, :  
: :  
VS. : CIVIL ACTION NO.  
: 4:14-cv-3253  
BRAD LIVINGSTON, JEFF PRINGLE, : JURY DEMAND  
RICHARD CLARK, KAREN TATE, :  
SANDREA SANDERS, ROBERT EASON, :  
the UNIVERSITY OF TEXAS MEDICAL :  
BRANCH and the TEXAS DEPARTMENT :  
OF CRIMINAL JUSTICE, :  
: :  
DEFENDANTS :  
:

\*\*\*\*\*

ORAL AND VIDEOTAPED DEPOSITION OF  
GEORGE CRIPPEN  
MARCH 24, 2016

\*\*\*\*\*

ORAL AND VIDEOTAPED DEPOSITION OF GEORGE  
CRIPPEN, produced as a witness at the instance of the  
Plaintiffs, and duly sworn, was taken in the  
above-styled and numbered cause on March 24, 2016, from  
10:23 a.m. to 7:20 p.m., before PHYLLIS WALTZ, RMR, CRR,  
Texas CSR, TCRR, Louisiana CCR, in and for the State of  
Texas, recorded by machine shorthand, at the Office of  
the University of Texas Medical Branch, 200 River  
Pointe, Conroe, Texas, pursuant to the Federal Rules of

1 Civil Procedure and the provisions stated on the record  
2 or attached hereto; that the deposition shall be read  
3 and signed before any Notary Public.

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

2

1 A P P E A R A N C E S  
2

3 COUNSEL FOR PLAINTIFFS:

4 Mr. Jeff Edwards  
5 Mr. Scott Medlock  
6 EDWARDS LAW  
7 The Haehnel Building  
8 1101 East 11th Street  
9 Austin, Texas 78702  
10 Tel: (512) 623-7727  
11 Fax: (512) 623-7729

12 COUNSEL FOR DEFENDANT TDCJ:

13 Ms. Cynthia L. Burton  
14 ASSISTANT ATTORNEY  
15 LAW ENFORCEMENT DEFENSE DIVISION GENERAL  
16 P.O. Box 12548  
17 Austin, Texas 78711-2548  
18 Tel: (512) 463-2080  
19 Fax: (512) 936-2109  
20 E-mail: cynthia.burton@texasattorneygeneral.gov

21 COUNSEL FOR DEFENDANT UTMB:

22 Ms. Lee Haney  
23 Ms. Shanna Molinare  
24 ASSISTANT ATTORNEY GENERAL  
25 P.O. Box 12548, Capitol Station  
Austin, Texas 78711  
Fax: (512) 495-9139

26 AND

27 Ms. Ashley Palermo  
28 THE UNIVERSITY OF TEXAS SYSTEM  
29 OFFICE OF GENERAL COUNSEL  
30 201 West 7th Street, Suite 600  
31 Austin, Texas 78701-2901  
32 Tel: (512) 499-4471  
33 E-mail: apalermo@utsystem.edu

1 A P P E A R A N C E S (Continuing)  
2

3 Ms. Kara Stauffer Philbin  
4 FERNELIUS ALVAREZ SIMON, P.L.L.C.  
LyondellBasell Tower  
1221 McKinney Street, Suite 3200  
5 Houston, Texas 77010-2011  
Tel: (713) 654-5165  
Fax: (713) 654-4039  
E-mail: kphilbin@fa-lawfirm.com  
6  
7

8 VIDEOGRAPHER:  
9 Mr. Kevin J. Schaefer  
10

11 ALSO PRESENT:  
12 Mr. James Rheams  
13 Ms. Jennifer K. Osteen  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

289

1 A. No.

2 Q. Okay. To stay hydrated and drink -- isn't  
3 drinking water one of the -- like, the chief protection  
4 measure that TDCJ has against these very high  
5 temperatures?

6 A. Yes, but I guess the -- I answered that and so  
7 you said a lot of water.

8 Q. Oh, did I load it too much? Okay. Do you  
9 know how much wa- -- do you know if -- if posters  
10 indicate -- or strike that.

11 Do you know if inmates are recommended to  
12 drink -- how much water are inmates recommended to  
13 drink, if you know?

14 A. I don't know.

15 Q. Okay. Do you even know if they're recommended  
16 to drink a certain amount of water?

17 A. I do not know.

18 Q. Do you think that it's logical that inmates  
19 would drink more water during the summer than -- than  
20 the -- the other months, given the heat?

21 A. I would think so.

22 Q. Okay. Do you think one important thing about  
23 having water available to inmates to help deal with  
24 these incredi- -- this high heat is that the water is  
25 safe to drink?

290

1 A. I don't understand the question.

2 Q. Should the water that TDCJ dispenses be safe  
3 for the inmates to drink?

4 A. Yes.

5 Q. Should the water that TDCJ dispenses be safe  
6 for the correctional officers to drink?

7 A. Yes.

8 Q. Okay. Should, as a general matter, the water  
9 comply with EPA safety standards in terms of particular  
10 toxins or poisons in water?

11 A. Yeah.

12 Q. Okay. Do you --

13 MR. EDWARDS: What? I'm fine. I'm fine.

14 Q. (BY MR. EDWARDS) Do you -- do you know that  
15 arsenic is a -- is a -- is a poison?

16 A. Yes.

17 Q. Okay. Do you believe that -- that inmates at  
18 prison units should be drinking water with levels of  
19 arsenic that is two to three to four times the level the  
20 EPA recommends?

21 A. I would say no.

22 Q. Okay. And if someone analyzed the danger from  
23 drinking those levels and determined that drinking  
24 sufficient quantities of that levels actually resulted  
25 in an elevated risk of developing cancer, would you

291

1 agree that that's a problem that TDCJ would need to  
2 rectify immediately?

3 A. If that was occurring, yes.

4 Q. Okay. Well, it was occurring at the Pack Unit  
5 from 2005 until even today. Do you know that?

6 A. No.

7 Q. No one told the director of nursing that the  
8 water at the Pack -- strike that.

9 One of your job -- one of your roles was to  
10 supervise what was going on at the Pack Unit, right?  
11 That's one of the facilities that you would have some  
12 management responsibility over with nurses, et cetera?

13 A. No.

14 Q. No? Do you think it's important for you to  
15 know that the Pack Unit is dispensing dangerous water to  
16 the inmates for a period of, I don't know, nine years,  
17 ten years?

18 A. If that problem was existing, I would say yes.

19 Q. Okay. Do you know why you were never told  
20 that the Pack Unit was dispensing water for a period of  
21 eight, nine, or ten years with dangerous levels of  
22 arsenic in it?

23 MS. BURTON: Objection; assumes facts not  
24 in evidence.

25 Q. (BY MR. EDWARDS) And by "dangerous levels of

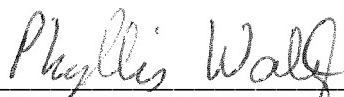
323

1 THE STATE OF TEXAS :  
2 COUNTY OF HARRIS :

3 I, PHYLLIS WALTZ, a Texas Certified Shorthand Reporter,  
4 Texas Certified Realtime Reporter, Louisiana Certified  
Court Reporter, Registered Merit Reporter and Certified  
Realtime Reporter in and for the State of Texas, do  
hereby certify that the facts as stated by me in the  
5 caption hereto are true; that the above and foregoing  
answers of the witness, GEORGE CRIPPEN, to the  
6 interrogatories as indicated were made before me by the  
said witness after being first duly sworn to testify the  
7 truth, and same were reduced to typewriting under my  
direction; that the above and foregoing deposition as  
8 set forth in typewriting is a full, true, and correct  
transcript of the proceedings had at the time of taking  
9 of said deposition.

10 I further certify that I am not, in any capacity, a  
11 regular employee of the party in whose behalf this  
deposition is taken, nor in the regular employ of his  
attorney; and I certify that I am not interested in the  
12 cause, nor of kin or counsel to either of the parties.

13 GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this, the 1ST  
day of APRIL, 2016.

14  
15   
16

PHYLLIS WALTZ  
Integrity Legal Support Solutions  
3100 Slaughter Lane, Suite A-101  
Austin, Texas 78748  
(512) 320-8690

17  
18  
19  
20  
21  
22  
23  
24  
25